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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/723,436	11/25/2003	Kazuyoshi Oyama	492322014900	6236
25227	7590	06/23/2006	EXAMINER	
MORRISON & FOERSTER LLP 1650 TYSONS BOULEVARD SUITE 300 MCLEAN, VA 22102				NGUYEN, DONGHAI D
		ART UNIT		PAPER NUMBER
				3729

DATE MAILED: 06/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/723,436	OYAMA ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Donghai D. Nguyen	3729

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 02 May 2006.
- 2a) This action is **FINAL**.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) 1,2 and 7-10 is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 3-6 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### *Response to Amendment*

1. The amendment filed on May 2, 2006 has been considered and made of record.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 3-6 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 5,140,643 to Izumi et al.

Regarding claim 3, Izumi et al. disclose a method for mounting an electronic component, comprising: picking up the electronic component (P) from a component feeding unit (tape 9 or tray 16) by a suction nozzle (34); illuminating (light transmitting plate 37 or annular illuminating unit 54) the electronic component picked up by the suction nozzle; taking an image of the illuminated electronic component by a component recognition camera (53); displaying the image taken by the component recognition camera (on the displayed monitor 55) when the electronic component is recognized to be improper based on a recognition processing performed on the image taken by the component recognition camera (see Figs. 4a and 12); changing a luminance level of the illuminating condition based on the display image (by adjusting the camera 53 and/or the illuminating unit 54, see Col. 6, line 27-68 and Col. 10, lines 31-46 thereby changing the luminance level); and mounting the electronic component on a print board (B) when the

electronic component picked up by the suction nozzle is recognized to be proper based on another recognition processing performed under the changed illuminating condition (See Col. 7, lines 47-56).

Regarding claim 4, Izumi et al disclose the electronic component is an electronic component (P) that is picked up first from the component feeding unit (9 or 16) when a series of mounting operations starts for a type of printed board (see Col. 7, lines 61-65).

Regarding claim 5, Izumi et al disclose the component feeding unit (10 or 16) comprises a plurality of units (9 or 15), and the electronic component (P) is each of electronic components (P) that are picked up first from corresponding units when a series of mounting operations starts for a type of printed board.

Regarding claim 6, Izumi et al disclose the component feeding unit (10/16) comprises a plurality of units (9/15) that are disposed on corresponding feeder bases (See Fig. 2), and the electronic component (P) is each of electronic components (P) that are picked up first from corresponding units that are disposed on a feeder base selected from the feeder bases when a series of mounting operations starts for a type of printed board (B).

#### *Response to Arguments*

4. Applicant's arguments with respect to claims 3-6 have been considered but are moot in view of the new ground(s) of rejection. Note that the rejected claims do not recite the "changing a luminance level of the illuminating based on the display imaged" etc., as now recited in the amended claim 3. Such changes to the claims do raise new issue as a result in new ground rejection.

5. This application contains claims 1, 2 and 7-10 drawn to an invention nonelected without traverse in the Response to Election requirement filed on 12/12/05. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donghai D. Nguyen whose telephone number is (571)-272-4566. The examiner can normally be reached on Monday-Friday (9:00-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter D. Vo can be reached on (571)-272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DN

June 15, 2006



MINH TRINH  
PRIMARY EXAMINER